

ENTERED

August 08, 2024

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

MELISSA A. BERRY SMITH,

Plaintiff.

V.

TEXAS CHILDREN'S HOSPITAL,
INC.,

Defendant.

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CIVIL ACTION NO. 4:22-CV-04250

**ORDER ADOPTING MAGISTRATE JUDGE'S
MEMORANDUM AND RECOMMENDATION**

On June 5, 2024, Defendant's Motion for Summary Judgment (Dkt. 17) was referred to United States Magistrate Judge Andrew M. Edison under 28 U.S.C. § 636(b)(1)(C). Dkt. 23. Judge Edison filed a Memorandum and Recommendation on July 19, 2024, recommending the motion be **GRANTED**. Dkt. 26.

On August 2, 2024, Plaintiff filed her Objections. In accordance with 28 U.S.C. § 636(b)(1)(C), this Court is required to "make a de novo determination of those portions of the [magistrate judge's] report or specified proposed findings or recommendations to which objection [has been] made." After conducting this de novo review, the Court may "accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." *Id.*; *see also* FED. R. CIV. P. 72(b)(3).

The Court has carefully considered the Objections; the Memorandum and Recommendation; the pleadings; and the record. The Court **ACCEPTS** Judge Edison's

Memorandum and Recommendation and **ADOPTS** it as the opinion of the Court. It is therefore **ORDERED** that:

- (1) Judge Edison's Memorandum and Recommendation (Dkt. 26) is **APPROVED AND ADOPTED** in its entirety as the holding of the Court; and
- (2) Defendant's Motion for Summary Judgment (Dkt. 17) is **GRANTED**.

It is so **ORDERED**.

SIGNED and ENTERED this 8th day of August 2024.



GEORGE C. HANKS, JR.
UNITED STATES DISTRICT JUDGE